

Message Text

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43

ACTION ARA-10

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P R 101646Z FEB 75

FM AMEMBASSY QUITO

TO SECSTATE WASHDC PRIORITY 4389

INFO AMCONSUL GUAYAQUIL

AMEMBASSY LIMA

AMEMBASSY SANTIAGO

C O N F I D E N T I A L QUITO 0989

E.O. 11652: GDS

TAGS: EFIS, PFOR, EC

SUBJECT: FISHING DISPUTE WITH ECUADOR

S/S-O PLEASE PASS TO D, ARA, L

1. BEGIN CONFIDENTIAL. OVER THE LAST WEEKEND, THREE IDEOLOGICALLY DIVERSE NEWSPAPERS PUBLISHED EDITORIALS WHICH, BECAUSE OF THEIR RELATIVELY NON-POLEMICAL DISCUSSION OF THE 200-MILE LIMIT/FISHING DISPUTE, WE BELIEVE TO HAVE BEEN INSPIRED BY HIGH POLICY-MAKING LEVELS WITHIN THE GOE. THEIR TONE VERY MUCH AGREES WITH THE SPECIFIC EFFORT THE GOE UNDERTOOK (WITH PRESIDENTIAL SPOKESMAN CARLOS AGUIRRE'S STATEMENT TO THE PRESS, REPORTED IN QUITO 786) TO MAKE CLEAR THAT THE FISHING BOAT SEIZURES WERE NOT IN REPRISAL FOR THE TRADE REFORM ACT SANCTIONS. THE PRINCIPAL POINTS ARE THREE, AND ALL THREE EDITORIALS MAKE THEM IN ONE FASHION OR ANOTHER: (A) ECUADOR HAS ESPOUSED THE 200-MILE THESIS IN ORDER TO PROTECT A NATIONAL RESOURCE, AN ATTITUDE WHICH IT BELIEVES IS JUST AND SANCTIONED BY INTERNATIONAL LAW AND FROM WHICH IT HAS NO INTENTION OF BUDGING; (B) AN INCREASING NUMBER OF COUNTRIES SHARE THIS POSITION, MOST RECENTLY THE UNITED STATES, AS MANIFESTED BY THE US SENATE'S
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ACTION LAST SESSION, AND EXPLICITLY WITH THE US-BRAZILIAN

AGREEMENT GOVERNING SHRIMPING WITHIN THE 200-MILE BRAZILIAN LIMIT; (C) ECUADOR'S STRONG COMMERCIAL AND CULTURAL TIES WITH THE UNITED STATES ARE FACTS OF LIFE DICTATED BY GEOGRAPHY AND ECONOMICS, AND THE SOONER THE CURRENT FISHING DISPUTE IS RESOLVED BY ADDITIONAL US FISHERMEN ASKING ECUADOR'S PERMISSION TO EXPLOIT HER RESOURCES, THE SOONER WE CAN GET BACK TO THE NORMALLY FRIENDLY AND PRODUCTIVE RELATIONSHIP WHICH CHARACTERIZES TIES BETWEEN THE TWO COUNTRIES. END
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BEGIN UNCLASSIFIED

2. EL COMERCIO'S EDITORIAL ENTITLED "MARITIME JURISDICTION", BEGINS "BRAZIL AND THE UNITED STATES HAVE JUST SIGNED AN AGREEMENT COVERING SHRIMP FISHING WITHIN THE 200-MILE BRAZILIAN TERRITORIAL SEA, WHICH WILL RUN UNTIL 1977. BEGINNING IN 1978, BRAZIL WILL ALLOW NO FOREIGN SHIPS TO FISH IN HER WATERS. THE ACCORD IS A CLEAR, UNMISTAKABLE ACKNOWLEDGEMENT ON THE PART OF THE UNITED STATES GOVERNMENT THAT BRAZILIAN SOVEREIGNTY EXTENDS TO THE 200-MILE LIMIT, CONCURRING WITH THE ACTION ALREADY PARTLY APPROVED BY THE UNITED STATES TO EXTEND AMERICAN JURISDICTION TO THE SAME 200 MILES. WHY THEN DOES THE UNITED STATES DENY THIS SAME RIGHT TO ECUADOR?"

3. EL TIEMPO'S EDITORIAL, "ON THE SEIZURE OF FISHING BOATS", NOTES THAT THE US FISHING VESSELS HAVE BROUGHT INTO FOCUS THE DISPUTE BETWEEN COUNTRIES WHICH CLAIM A 200-MILE TERRITORIAL SEA AND THOSE WHO DO NOT. "THE SIGNIFICANT THING IS THAT THE SENATE OF THE UNITED STATES HAS ALREADY GONE ON RECORD IN FAVOR OF RESERVING FOR THE UNITED STATES THE SAME 200-MILE TERRITORIAL SEA. WHAT IS UNCONSCIONABLE IS THE ATTITUDE OF THE DEPARTMENT OF STATE WHICH APPEARS TO ENCOURAGE AMERICAN FISHERMEN NOT TO BUY FISHING LICENSES. THIS IS TANTAMOUNT TO PROVOKING THE FISHERMEN TO DISOBEY THE LAW. THE FISHERMEN THEN INVADE OUR WATERS AND QUOTE THE STATE DEPARTMENT'S ATTITUDE AS JUSTIFICATION FOR THEIR ILLEGAL ACTIVITIES. AND IT IS STILL MORE GRAVE WHEN THE UNITED STATES GOVERNMENT REIMBURSES THE FISHERMEN FOR THE FINES, THEREBY ALLOWING THEM TO ACT WITH IMPUNITY BECAUSE THEY DON'T STAND TO LOSE A CENT FOR THEIR ACTIVITIES.
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THIS STATE OF AFFAIRS SHOULD NOT BE ALLOWED TO CONTINUE. THE SOONER (AMERICAN FISHERMEN) ACCEPT THE NEED TO COMPLY WITH THE LAW, THE BETTER AND EASIER IT WILL BE TO AVOID INCIDENTS WHICH POISON THE ATMOSPHERE BETWEEN OUR TWO COUNTRIES."

4. EVEN GUAYAQUIL'S EXPRESO, NORMALLY SOMETHING OF A US-BAITING PAPER, PUBLISHED A RELATIVELY MODERATE EDITORIAL

ON FEBRUARY 8 ENTITLED "EUCADOR AND THE 200 MILES". CON-
GRATULATING THE GOE ON ITS STEADFAST DEFENSE OF ECUADOR'S
NATIONAL INTERESTS, IT SAYS " WE MUST CELEBRATE AS WELL
A TRIUMPH WHICH NO ONE WOULD HAVE SUSPECTED POSSIBLE FOR
OUR COUNTRY TO ACHIEVE, THAT IS TO SAY, THE ACKNOWLEDGEMENT
BY THE UNITED STATES OF THE VALIDITY, AT LEAST IN PART,
OF THE THESIS OF 200-MILES. SLOWLY BUT SURELY, THIS
THESIS IS BEING ADOPTED BY MORE AND MORE NATIONS...
ECUADOR DOES NOT PRETEND TO ARROGATE UNTO ITSELF THE RIGHT
TO PRECLUDE INTERNATIONAL FISHING FROM ITS OWN WATERS, BUT
ASKS ONLY THAT ITS RIGHTS WITH RESPECT TO THE SEAS ADJACENT
TO IT BE RECOGNIZED, A RECOGNITION WHICH CAN BE SATISFIED BY
THE SIMPLE ACT OF OBTAINING ITS PERMISSION TO EXPLOIT THOSE
RESOURCES. WE ARE SATISFIED THAT WE ARE ON THE ROAD TO
REALIZING THESE ASPIRATIONS, AS WE MUST PROTECT OUR RELATIONS
WITH THE UNITED STATES, A COUNTRY WITH WHICH, BECAUSE OF
THE CIRCUMSTANCES OF ECONOMICS AND GEOGRAPHY, WE HAVE OUR
CLOSEST AND MOST IMPORTANT COMMERCIAL AND CULTURAL TIES."
AND IN A PERORATION WHICH MAY WELL HAVE BEEN DICTATED AT
HIGHEST POLICY-MAKING LEVELS, THE EDITORIAL CONCLUDES "RESPECT
BY ALL NATIONS FOR THE NORMS OF INTERNATIONAL LAW IS THE
ONLY GUARANTEE OF RESPECT FOR INDIVIDUAL RIGHTS, EQUILIBRIUM,
AND WORLD PEACE. THE CHANGE WHICH WE HAVE SEEN IN THE
AMERICAN ATTITUDE IS A POSITIVE SYMPTOM, AND WE SHOULD
RECEIVE IT WITH HEARTIEST APPLAUSE AND BEST WISHES."
BREWSTER

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